



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

MAR - 9 2017

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Red Brick Road Community
P.O. Box 2194
Redmond, Washington 98073

Re: In the Matter of William C. Nelson and the Estate of Barbara Nelson; EPA Docket No. CWA-10-2016-0088

Dear concerned members of the Red Brick Road Community:

Thank you for submitting comments regarding the U.S. Environmental Protection Agency (EPA) Region 10's Consent Agreement and Final Order (CAFO) with William C. Nelson and the Estate of Barbara Nelson ("Respondents"). The EPA reviewed your comments and they will be filed with the EPA's record for the CAFO. In addition to the CAFO, the EPA issued an Administrative Compliance Order requiring Respondents to take certain Clean Water Act (CWA) compliance measures, including the submission and implementation of a restoration and mitigation work plan.

Since receiving your comments, the EPA has reviewed the record for this matter and undertaken certain follow up measures. We met with members of the Red Brick Road Community on July 27, 2016 and February 9, 2017 (the EPA also held an in-person meeting with a group of concerned citizens on September 8, 2016), and engaged in discussions with the Respondents regarding your comments and the alleged CWA violations at the site. Based on these efforts, the EPA will issue an amended Administrative Compliance Order that will include additional measures that are responsive to your comments. Those measures include: 1) a mitigation project requiring removal of catch basins and wetland enhancement in the area known as the "Double Wide Pasture" or "Wetland C" located along Red Brick Road; 2) culvert removal and replacement with a fish-friendly culvert in the area known as the "Spur Farm Road"; 3) narrowing the road known as the "Loop Farm Road" by removal of fill material to an upland location, as opposed to mulching and seeding; 4) a provision requiring trucks and large equipment needed for the restoration and mitigation to adhere to the Red Brick Road's weight restrictions and to access the site from Union Hill Road; and, 5) a provision that all costs associated with the restoration and mitigation measures shall not be deductible for purposes of federal taxes.

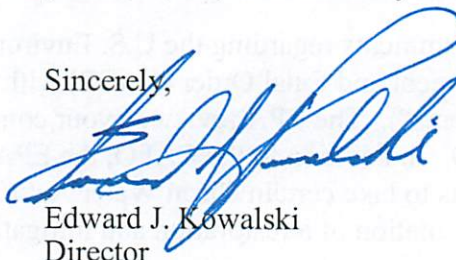
In addition to and related to the measures outlined above, the EPA has taken other steps to ensure closer coordination with its local and state regulatory counterparts and a continued federal involvement at the site. As part of the related King County grading permit process, on August 2, 2016, the EPA sent the county a comment letter (attached) regarding the road reduction project, potential implications under the CWA and recommendations on how to complete the work consistent with item number three above. The county took the EPA's comments into consideration and, on October 17, 2016, sent the Respondents' consultant a letter that referenced EPA's concerns and requested follow up information to address those concerns. Additionally, as part of the County's Critical Areas Designation assessment at the site, the EPA requested to be involved in the ongoing wetland delineation. To that end, on September 19, 2016,

EPA staff, as well as staff from the U.S. Army Corps of Engineers, participated in a site inspection related to the wetland delineation. EPA will continue to participate to ensure all parties receive input from EPA.

Under Section 309(g)(4)(C) of the CWA, 33 U.S.C. § 1319(g)(4)(C), and 40 C.F.R. § 22.45(c)(4), EPA is required to provide each commenter a copy of any consent agreement between the parties and the proposed final order. Accordingly, please find enclosed a copy of the CAFO in the above referenced matter. The CAFO incorporates both the settlement agreement between EPA and Respondents, and the proposed final order. Under 40 C.F.R. § 22.45(c)(4), a commenter has 30 days after receipt of this letter to petition to set aside the CAFO. Based on the EPA's meetings with you and the EPA's efforts to respond to your comments and concerns, we hope that you will not elect to proceed with the petition process.

EPA recognizes the Community's efforts in this matter and supports your commitment to protect and improve the water quality of the Evans Creek watershed. Thank you for your interest and we encourage members of the Community to contact the EPA with any information regarding CWA violations. Please feel free to contact Krista Rave-Perkins of my staff at (206) 553-6686 if you have any additional questions or concerns.

Sincerely,



Edward J. Kowalski
Director

Enclosures:

1. Consent Agreement and Final Order, Docket No. CWA-10-2016-0088
2. EPA letter to King County, August 2, 2016
3. King County letter to EPA, October 17, 2016

cc: Mr. Paul Anderson
Washington Department of Ecology

Mr. Matt Maynard
King County

Mr. Jerry Gregory
U.S. Army Corps of Engineers

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101**

In the Matter of:

**William C. Nelson, Jr. and
The Estate of Barbara Nelson,
Redmond, Washington**

Respondents.

DOCKET NO. CWA-10-2016-0088

**CONSENT AGREEMENT
AND FINAL ORDER**

I. STATUTORY AUTHORITY

1.1. This Consent Agreement and Final Order ("CAFO") is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency ("EPA") by Section 309(g)(2)(B) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(2)(B).

1.2. The Administrator has delegated the authority to issue the Final Order contained in Part V of this CAFO to the Regional Administrator of EPA Region 10, who has redelegated this authority to the Regional Judicial Officer in EPA Region 10.

1.3. Pursuant to Section 309(g)(1) and (2)(B) of the CWA, 33 U.S.C. § 1319(g)(1) and (2)(B), and in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties," 40 C.F.R. Part 22, EPA issues, and William C. Nelson, Jr. and The Estate of Barbara Nelson ("Respondents") agree to issuance of, the Final Order contained in Part V of this CAFO.

II. PRELIMINARY STATEMENT

2.1. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b), issuance of this CAFO

commences this proceeding, which will conclude when the Final Order contained in Part V of this CAFO becomes effective.

2.2. The Administrator has delegated the authority to sign consent agreements between EPA and the party against whom a Class II penalty is proposed to be assessed pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), to the Regional Administrator of EPA Region 10, who has redelegated this authority to the Director of the Office of Compliance and Enforcement, EPA Region 10 ("Complainant").

2.3. Part III of this CAFO contains a concise statement of the factual and legal basis for the alleged violations of the CWA together with the specific provisions of the CWA and the implementing regulations that Respondents are alleged to have violated.

III. ALLEGATIONS

3.1. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants into waters of the United States by any person, except as authorized by a permit issued pursuant to Section 402 or 404 of the Act, 33 U.S.C. § 1342 or 1344. Each discharge of pollutants from a point source that is not authorized by such a permit constitutes a violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

3.2. Respondents are "persons" within the meaning of Sections 301(a) and 502(5) of the Act, 33 U.S.C. §§ 1311(a) and 1362(5).

3.3. Respondents own, possesses, and/or control approximately 124 acres of real property in Redmond, Washington, known as Gunshy Manor Farm (hereafter "the Farm"). The Farm is located near 7240 196th Avenue, Redmond, Washington, 98053, Latitude 47.669589°, Longitude -122.076217°. On February 18, 2015, Agency staff from the EPA, the Army Corps of Engineers, the National Oceanic and Atmospheric Administration, and the Washington State Department of Ecology conducted a site visit and collected soil samples at the Farm.

3.4. At the time of the unauthorized activities described below, the Farm contained wetlands within the meaning of 33 C.F.R. § 328.3(b) and 40 C.F.R. § 232.2. The wetlands impacted by the alleged unauthorized discharges described in paragraph 3.6 below meet the criteria for jurisdictional wetlands in the 1987 “Federal Manual for Identifying and Delineating Jurisdictional Wetlands.”

3.5. The wetland areas impacted by the alleged unauthorized discharges described in paragraph 3.6 below are adjacent and hydrologically connected to ditches and streams that eventually flow into Evans Creek, which flows into Bear Creek, which flows into the Sammamish River. The Sammamish River is a Rivers and Harbors Act Section 10, 33 U.S.C. § 403, water and is a “water of the United States” as defined in 33 C.F.R. § 328.3(a)(1), and 40 C.F.R. § 232.2, and is therefore is a “navigable water” as defined in CWA Section 502(7), 33 U.S.C. § 1362(7). Consequently, the ditches and streams and adjacent wetlands impacted by the alleged unauthorized discharges described in paragraph 3.6 below are “waters of the United States” within the meaning of 33 C.F.R. §§ 328.3(5)&(7) and 40 C.F.R. § 232.2, and therefore “navigable waters” as defined in CWA Section 502(7), 33 U.S.C. § 1362(7).

3.6. On or before January 2010 to the effective date of this agreement, at times more fully known to Respondents, Respondents and/or persons acting on their behalf, used heavy earth-moving equipment to place dredged and/or fill material into wetlands and other waters of the United States at the Farm. This activity occurred when Respondents spread fill material in areas known as the Spur Farm Road and the Loop Farm Road and in a portion of the South Farm Ditch located in the Summer Pasture, which areas are generally depicted in the Site Aerial Photograph, attached as Exhibit A, hereafter referred to as “the Site”.

3.7. The construction equipment referenced in Paragraph 3.6 is a “point source” within the meaning of Section 502(14) of the Act, 33 U.S.C. § 1362(14).

3.8. The dredged and/or fill materials that Respondents and/or persons acting on their behalf caused to be discharged, as referenced in Paragraph 3.6, included dirt and gravel, among

other things, each of which constitutes “dredged material” and/or “fill material” within the meaning of 40 C.F.R. § 232.2, and each of which constitutes a “pollutant” within the meaning of Section 502(6) of the Act, 33 U.S.C. § 1362(6).

3.9. By causing such dredged and/or fill materials to enter waters of the United States, Respondents engaged in the “discharge of pollutants” from a point source within the meaning of Sections 301(a) and 502(12) of the Act, 33 U.S.C. §§ 1311(a) and 1362(12).

3.10. Respondents’ discharges of dredged and/or fill materials described in Paragraph 3.6 above were not authorized by any permit issued pursuant to Section 404 of the Act, 33 U.S.C. § 1344. Respondents are therefore in violation of section 301(a) of the Act, 33 U.S.C. § 1311(a).

3.11. Each day the dredged and/or fill material remains in place without the required permit constitutes an additional day of violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

3.12. In accordance with Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), and 40 C.F.R. Part 19, Respondents are liable for the administrative assessment of civil penalties for violations at the Site in an amount not to exceed \$16,000 per day for each day during which the violation continues, up to a maximum of \$177,500.

IV. CONSENT AGREEMENT

4.1. For purposes of this Consent Agreement and Final Order, or any action to enforce it, Respondents admit the jurisdictional allegations of this CAFO.

4.2. Respondents neither admit nor deny the specific factual allegations contained in this CAFO.

4.3. As required by Section 309(g)(3) of the CWA, 33 U.S.C. § 1319(g)(3), EPA has taken into account the nature, circumstances, extent, and gravity of the alleged violations as well

as Respondents' degree of culpability, economic benefit of noncompliance, ability to pay, and other relevant factors. After considering all of these factors, EPA has determined and Respondents agree that an appropriate penalty to settle this action is \$10,000.

4.4. Respondents agree to pay the total civil penalty set forth in Paragraph 4.3 within 30 days of the effective date of the Final Order contained in Part V of this CAFO.

4.5. Payment under this CAFO must be made by a cashier's check or certified check payable to the order of "Treasurer, United States of America" and delivered to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Respondents must note on the check the title and docket number of this action.

4.6. Respondents must serve photocopies of the check described in Paragraph 4.5 on the Regional Hearing Clerk and EPA Region 10 at the following addresses:

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10, Mail Stop ORC-158
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Krista Rave-Perkins
U.S. Environmental Protection Agency,
Region 10, Mail Stop – OCE-101
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

4.7. If Respondents fail to pay the penalty assessed by this CAFO in full by its due date, the entire unpaid balance of penalty and accrued interest shall become immediately due and owing. Such failure may also subject Respondents to a civil action to collect the assessed penalty under the CWA, together with interest, fees, costs, and additional penalties described below. In any collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

4.7.1. Interest. Pursuant to Section 309(g)(9) of the CWA, 33 U.S.C. § 1319(g)(9), any unpaid portion of the assessed penalty shall bear interest at a rate established by the Secretary of Treasury pursuant to 31 U.S.C. § 3717(a)(1) from the effective date of the Final Order set forth in Part V, provided however, that no interest shall be payable on any portion of the assessed penalty that is paid within 30 days of the effective date of the Final Order.

4.7.2. Attorneys Fees, Collection Costs, Nonpayment Penalty. Pursuant to Section 309(g)(9) of the CWA, 33 U.S.C. § 1319(g)(9), if Respondents fail to pay on a timely basis the penalty set forth in Paragraph 4.3, Respondents shall pay (in addition to any assessed penalty and interest) attorneys fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to 20% of the aggregate amount of Respondents' penalties and nonpayment penalties which are unpaid as of the beginning of such quarter.

4.8. The penalty described in Paragraph 4.3, including any additional costs incurred under Paragraph 4.7, above, represents an administrative civil penalty assessed by EPA and shall not be deductible for purposes of federal taxes.

4.9. Except as described in Subparagraph 4.7.2, above, each party shall bear its own costs in bringing or defending this action.

4.10. For purposes of this Consent Agreement and Final Order, Respondents expressly waive any right to contest the allegations and waives any right to appeal the Final Order set forth in Part V.

4.11. The provisions of this CAFO shall bind Respondents and its agents, servants,

employees, successors, and assigns.

4.12. The above provisions are STIPULATED AND AGREED upon by Respondents and EPA Region 10.

DATED:

FOR RESPONDENTS:

June 1, 2016

W.C. Nelson

WILLIAM C. NELSON, JR.

DATED:

FOR COMPLAINANT:

June 7, 2016

Edward J. Kowalski

EDWARD J. KOWALSKI, Director
Office of Compliance and Enforcement
EPA Region 10

V. FINAL ORDER

5.1. The terms of the foregoing Parts I-IV are ratified and incorporated by reference into this Final Order. Respondents are ordered to comply with the terms of settlement.

5.2. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to the CWA for the violations alleged in Part III. In accordance with 40 C.F.R. § 22.31(a), nothing in this CAFO shall affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This CAFO does not waive, extinguish, or otherwise affect Respondents' obligations to comply with all applicable provisions of the CWA and regulations promulgated or permits issued thereunder.

5.3. In accordance with Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1), and

40 C.F.R. § 22.38(b), the Washington Department of Ecology has been given the opportunity to consult with EPA regarding the assessment of the administrative civil penalty against Respondent.

5.4. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45(b), EPA has issued public notice of and provided reasonable opportunity to comment on its intent to assess an administrative penalty against Respondents. More than 40 days have elapsed since issuance of this public notice and EPA has received no petition to set aside the Consent Agreement contained herein.

5.5. This Final Order shall become effective upon filing.

SO ORDERED this ____ day of _____, 2016.

M. SOCORRO RODRIGUEZ
Regional Judicial Officer
EPA Region 10


EXHIBIT A: FARM AND SITE AERIAL PHOTOGRAPH

**William C. Nelson, Jr. and
The Estate of Barbara Nelson
CAFO – Exhibit A
Docket Number CWA-10-2016-0088**

**U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101
(206) 553-1073**



COLOR AERIAL PHOTO: KING COUNTY, 2011



ES&M
Engineering News-Record
McGraw-Hill Construction Information Group

CONSULTING ENGINEERS, LLC
1100 N. 17th St., Suite 200
Tomball, TX 77375
Tel: 281.291.0000
Fax: 281.291.0001
www.cesllc.com



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

AUG 2 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

**Mr. Jon Pederson
King County
Department of Permitting and Environmental Review
35030 SE Douglas Street, Suite 210
Snoqualmie, Washington 98065-9266**

Re: Gunshy Grading Permit File No.: GRDE14-0143

Dear Mr. Pederson:

The U.S. Environmental Protection Agency (EPA) is providing the following comments on the Gunshy application for a King County Clearing and Grading Permit. EPA is currently working with Gunshy to resolve alleged Federal Clean Water Act violations at a portion of the site.

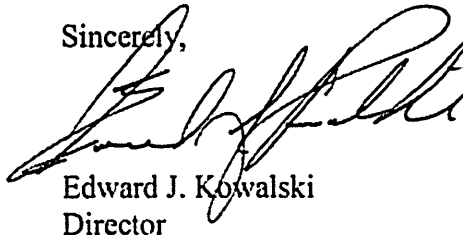
In the SEPA Environmental Checklist A. 11, the proposed project includes: "Reducing the width of approximately 3,100 lineal feet of existing gravel farm road segments by (a) mulching into underlying soils down to approximately 12 inch depth the edge strips of the road segments' existing gravel-surfaced areas that lie outside of a 10 foot wide gravel road corridor that is proposed to remain in place." EPA is concerned that portions of the road and/or adjacent area may be on federally recognized wetlands. If that is the case, then any material "mulched" into underlying soils would be considered a discharge of pollutants (i.e., fill material) under Clean Water Act Section 301, and the activity would require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. Toward that end, EPA strongly recommends that a wetland delineation be approved by local, state and federal permitting agencies before any work plan is completed.

In addition, EPA is concerned about the quality of the material that is proposed to be "mulched" into soils. Based on information that was provided to us, it appears that a large quantity of crushed, recycled asphalt was brought to the site and that some may have been placed on portions of the area identified as the "Loop Farm Road." Please be advised that any discharge authorized under Clean Water Act Section 404 must be of clean material. EPA recommends testing the quality of the road material to determine whether it meets the appropriate requirements for fill material before determining the appropriate location for ultimate disposal.

Finally, under the Clean Water Act Section 404(b)(1) guidelines, found in EPA regulations at 40 C.F.R. Part 230, no discharge of fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have a less adverse impact on the aquatic ecosystem. Therefore, the most appropriate approach to the road reduction consistent with applicable local, state, as well as federal law may in fact be to remove the fill and dispose of it at an acceptable upland location.

If you have any questions concerning EPA's comments, please contact Krista Rave-Perkins at (206) 553-6686 or rave-perkins.krista@epa.gov. Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward J. Kowalski', written over the printed name and title.

Edward J. Kowalski
Director

cc: Mr. Paul Anderson
Washington Department of Ecology

Mr. Andrew Shuckhart
U.S. Army Corps of Engineers

Ms. Karen Walter
Muckleshoot Tribe



King County
Department of Permitting
and Environmental Review
35030 SE Douglas St., Ste. 210
Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
www.kingcounty.gov

October 17, 2016

Eric LaBrie
ESM Consulting Engineers
33400 8th Ave. South
Federal Way, WA 98003

Re: GRDE14-0143
Gunshy Manor Grading Restoration Permit Application

Dear Mr. LaBrie:

The Department of Permitting and Environmental Review (DPER) has completed additional engineering/drainage and critical area reviews subsequent to the onsite meeting on September 19, 2016, which was attended by DPER critical areas staff. The following additional information is required for DPER to continue review of this proposal:

- 2 copies of a revised technical information report, and 4 sets of revised engineering plans addressing review comments from Pat Simmons, DPER Engineer (copy enclosed).
- 2 copies of a farm management plan complying with KCC 21A.24, and approved by the King County Water and Land Resources Division (WLRD), and 2 copies of a revised wetland report addressing comments from Matt Maynard, DPER Ecologist (copy enclosed).

In addition, the Environmental Protection Agency (EPA), in a letter dated August 2, 2016, expressed several concerns regarding the quality of fill material that was imported for road surfacing, and your intent to mulch this material into the existing soil profile as part of the road width reduction proposal. The EPA letter further expressed concerns that this material could be considered a discharge of pollutants to a wetland in violation of federal requirements. As part of your resubmittal, please address the source of material used for road surfacing, the makeup of the material (asphalt, concrete, pit run, etc.), and the effects of this material on water quality if the material is mulched into the existing soil, or otherwise left in place.

Be advised that the Critical Areas Designation (CAD) under file number CADS14-0327 has been placed on hold pending issuance of the grading restoration permit.

October 17, 2016
Mr. Eric LaBrie
Page 2

Further review of this proposal will not proceed until this information has been received. Please submit this information within 60 days from the date of this letter. In the event you feel extenuating circumstances exist which may justify an extension of this date, you may submit such a request, in writing, for consideration by this Department. In the event this information is not received within the required time frame, this matter will be referred back to the DPER Code Enforcement Section.

If you have questions regarding the engineering/drainage requirements, please contact Pat Simmons at 206-477-0340. For questions regarding critical area requirements contact Matt Maynard at 206-477-4483. For all other questions contact Jon Pederson at 206-477-0330.

Sincerely,

A handwritten signature in black ink, appearing to be 'SR' with a long horizontal stroke extending to the right.

Steve Roberge
Supervisor, Rural Residential Section

cc: Matt Maynard, Ecologist
Pat Simmons, Engineer
Kim Claussen, PPM
Jeri Breazeal, Code Enforcement Officer
Jon Pederson, SDS

encl.



King County
Department of Permitting
and Environmental Review
900 Oakesdale Avenue SW
Renton, WA 98057-5212
206-296-6600 TTY Relay: 711
www.kingcounty.gov

September 9, 2016

GRDE14-0143 Gunshy Manor Farm

This project is to restore the site from clearing and grading in a critical area and/or buffer and to resolve the creation of more than 2000 square feet of impervious surface.

There are farm roads currently on the property that are near drainage ditches and/or wetlands. The applicant asserts the road have be in existence prior to January 8, 2001, and the recent activity was to restore the roads. There roads are mainly on Lot 6 of BLA13-0005 (0825069012) some are in the 100 flood plain of Evans Creek and some are located above that elevation. The plan is to reduce the existing roads to 10-12 feet wide and restore any additional area to grass by removing the existing gravel and providing amended soil to grow grass and disperse surface water runoff in the adjacent field. There is also some concern if fill was placed in the flood plain of Evans Creek.

TIR overview:

The TIR should state approximately when the roads were established and provide information on why the roads seem to have grown over during the 2003-2010 time frame when the King County aerial photography show these area as vegetated. The TIR should clarify which portion of the property is being evaluated and include a statement similar to the one in Section 4.

Section 3:

A map of the location of the photos should be provided.

Task 3 A statement that this level 1, downstream analysis is for the focus area as described in the overview. Please clarify this downstream analysis is not a report for the entire site.

Section 4:

The report needs to be clear what is being modeled. Normally the models would be run for all the area that is being changed by this permit to the discharge point. The discharge point would include the grass areas between the roads. If the modeling is for only the road surface area, a statement is needed to why this type of modeling was selected.

Engineering plans:

Provide a single sheet showing all the roads that would be modified by the permit.

Show the following items on the plans: 1) proposed cross sections; 2) what material is to remain in place; and 3) BMPs for the roads.

If you have any questions please feel free to contact me at the number below.

Sincerely,

Patrick Simmons
206-417-0340



King County

**Department of Permitting
and Environmental Review**

35030 SE Douglas St, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 TTY 206-296-7217

www.kingcounty.gov

10/10/2016

To: Jon Pederson

RE: GRDE14-0143 Restoration, Parcels 082506-9012, -9013, -9102, -9103, -9104, -9105

According to KCC 21A.24.045, construction of farm field access drives are allowed only in compliance with a farm management plan in accordance with 21A.24.051

Per 21A.24.051.I, activities carried out in compliance with the approved farm management plan shall be deemed in compliance...

As of October 3, 2016 (per email from Rick Reinlasoder) no farm management plan has been approved for Gunshy Manor (Parcels 082506-9012, -9013, -9105, 9104, 9103, 9102).

To continue the review of GRDE14-0143 an approved farm management plan is required.

Matt Maynard

Environmental Scientist III – Ecologist